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OF THE

SUPREME COURT OF NEW JERSEY

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March 20, 2013

Mark Neary, Clerk
Supreme Court of New Jersey
P.O. Box 970
Trenton, New Jersey 08625-0962

Re: In the Matter of Dorothy Wright
Docket No. DRB 12-339
District Docket No. XIII-2011-0029E

Dear Mr. Neary:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board may deem appropriate) filed by the District XIII Ethics Committee ("DEC"), pursuant to R. 1:20-10(b). Following a review of the record, the Board determined to grant the motion.

In the Board's view, a reprimand is the appropriate measure of discipline for respondent's violation of RPC 1.4(b) (failure to keep the client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information) and RPC 1.5(b) (failure to set out the basis or rate of the fee in writing).

Specifically, respondent agreed to handle the probate of two estates and the sale of a house for Patricia Doblal and Karin Ward, the daughters of Shirley and George Strauss, both of whom died in 2009. Doblal was appointed as executrix of the

estates. Respondent did not provide a writing setting forth the basis or rate of her fee.

Following respondent's payment of all estate expenses, including a medical lien, a balance of \$48,688.89 remained in the estate. Doblak asked respondent to explain the \$3,500 difference between the \$48,688.89 remaining in the estate and the \$45,188.89 respondent offered to send to Ward to reimburse her for expenses she incurred for the upkeep of the Strausses' house and travel to New Jersey. Respondent failed to promptly address the discrepancy despite Doblak's request. Ultimately, upon further inquiry from Ward, respondent explained that the \$3,500 was her fee. She did not provide a formal bill.

Respondent conceded that she violated RPC 1.4(b) and RPC 1.5(b). Although an attorney's violation of those rules usually results in no more than an admonition, where the attorney has a disciplinary record, failure to communicate alone can result in a reprimand. See, e.g., In re Wolfe, 170 N.J. 671 (2001) (failure to communicate with a client; reprimand imposed because of attorney's ethics history: an admonition, a reprimand, and a three-month suspension).

Respondent, too, has an ethics history consisting of a 1996 admonition and a 1998 reprimand. Although her record is not as serious as Wolfe's, both of her earlier matters involved failure to communicate, misconduct seen here. In addition, her prior admonition was also for failure to adequately explain her fee to a client.

In mitigation, the Board considered the lack of harm to the estate.

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated September 13, 2012.
2. Stipulation of discipline by consent, dated September 13, 2012.

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3. Affidavit of consent, dated August 24, 2012.
4. Ethics history, dated March 20, 2013.

Very truly yours,



Julianne K. DeCore
Chief Counsel

JKD/paa
encls.

cc: Louis Pashman, Chair, Disciplinary Review Board
(w/o encls.)
Charles Centinaro, Director, Office of Attorney Ethics
(w/o encls.)
John E. Lanza, Chair, District XIII Ethics Committee
(w/o encls.)
Dorothy Wright, Respondent (w/o encls.)
Karin Ward, Grievant (w/o encls.)